

RICHARD A. SCHONFELD, ESQ.
Nevada Bar No. 6815
SARALIENE S. SMITH, ESQ.
Nevada Bar. No. 11461
CHESNOFF & SCHONFELD
520 South Fourth Street
Las Vegas, Nevada 89101
(702) 384-5563
Attorneys for Defendant, Basil Daniel

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	Case No.2:10-cr-00365-JCM-PAL
Plaintiff,)	
)	UNOPPOSED
v.)	MOTION TO CORRECT
)	FINAL PRESENTENCE
)	INVESTIGATION REPORT
BASIL DANIEL,)	AND
)	PROPOSED ORDER
Defendant.)	

Comes now, Defendant Basil Daniel, by and through his attorneys of record, and moves this court for an order to correct the final Pre-sentence Investigation Report issued in this case. Mr. Daniel asks that Paragraph 16 of the final report (revision date December 10, 2010) be corrected so that it reads:

According to the Federal Bureau of Investigation, the cocaine weighed 8.4 kilograms. Fussell was read his rights and consented to be interviewed. Fussell admitted that he was paid \$50,000, by Daniel, to deliver the cocaine. Leone was read his rights and consented to be interviewed. Leone admitted that he was paid \$5,000 for his participation in the drug conspiracy. Francis was read his rights and consented to be interviewed. Francis admitted his participation in the conspiracy and stated that he hoped to make money from the drug transaction.

This revised paragraph corrects the name of co-defendant Brad Fussell and removes all reference to the handgun possessed by co-defendant Leone. These changes were inadvertently

1 excluded from the requests made by Mr. Daniel during the December 10, 2010, sentencing hearing,
2 but they are in keeping with the spirit of those requests and with the court's order for corrections to
3 the report. For those reasons, Mr. Daniel now asks that the court order that these additional changes
4 be made.
5

6 In light of the court's rulings on similar issues at the time of sentencing, the government has
7 stated that it will offer no opposition to this motion.

8 **DATED** this 6th day of January, 2011.
9

10 Respectfully submitted,
11

12 

13 **RICHARD A. SCHONFELD, ESQ.**

14 Nevada Bar No. 6815

15 **SARALIENE S. SMITH, ESQ.**

16 Nevada Bar. No. 11461

17 520 South Fourth Street

18 Las Vegas, Nevada 89101

19 (702) 384-5563

20 Attorneys for Defendant

21 Basil Daniel
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BASIL DANIEL,

Defendant.

Case No.2:10-cr-00365-JCM-PAL

ORDER

The matter having come before the court on Defendant Basil Daniel's motion, and good cause appearing, Defendant's request is **GRANTED**.

IT IS ORDERED THAT Paragraph 16 of the Final Presentence Investigation Report (revision date December 10, 2010) be corrected so that it reads:

According to the Federal Bureau of Investigation, the cocaine weighed 8.4 kilograms. Fussell was read his rights and consented to be interviewed. Fussell admitted that he was paid \$50,000, by Daniel, to deliver the cocaine. Leone was read his rights and consented to be interviewed. Leone admitted that he was paid \$5,000 for his participation in the drug conspiracy. Francis was read his rights and consented to be interviewed. Francis admitted his participation in the conspiracy and stated that he hoped to make money from the drug transaction.

This revised paragraph corrects the name of co-defendant Brad Fussell and removes all reference to the handgun possessed by co-defendant Leone.

DATED this 7th day of January, 2011.


THE HONORABLE JAMES C. MAHAN

Submitted by:


RICHARD A. SCHONFELD, ESQ.